

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
OPELIKA DIVISION

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U.S. DISTRICT COURT  
OPELIKA, ALABAMA

WILLIAM J. WINDHAM and )  
GWENDOLYN JOYCE WINDHAM )  
 )  
Plaintiff, )  
 )  
v. ) Case No.: 3:05-CV-00472-M,  
 )  
B.W. CAPPS & SONS, INC. )  
 )  
Defendant. )

NOTICE OF COSTS AND EXPENSES  
FOR DAMAGES INCURRED TO DATE

COMES NOW the Plaintiffs, by and through counsel of record, and provide this Notice of Costs and Expenses for Damages Incurred to Date as ordered by this Honorable Court on July 29, 2005. To date, said costs and expenses are as follows:

MEDICAL BILLING

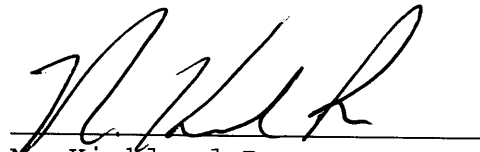
Anesthesia Associates	\$ 1,680.00
Radiology Associates	\$ 110.00
Emergency Medical Specialists of Columbus	\$ 398.00
Columbus Clinic	\$ 350.00
The Hughston Clinic and Hughston Rehabilitation	\$ 28,998.01
St. Francis Hospital	\$ 20,354.64
Hughston Hospital	\$ 28,989.27
The Medical Center	\$ 5,679.82
<b>TOTAL MEDICAL BILLS</b>	<b>\$ 86,559.74</b>

LOST INCOME

Plaintiff Bill Windham has also incurred loss of income and expense as he has been forced to maintain his business.

Respectfully submitted this the 19<sup>th</sup> day of August, 2005.

POPE & RAYFIELD, P.C.

  
N. Kirkland Pope  
Alabama Bar No. POP018

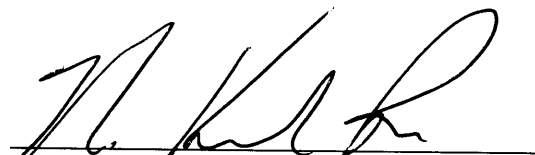
1110 Broad Street  
Post Office Box 849  
Phenix City, Alabama 36868  
334.298.7062

CERTIFICATE OF SERVICE

I hereby certify that I have served a true and correct copy of the foregoing instrument, Notice of Costs and Expenses for Damages Incurred to Date upon the following counsel via United States Mail, first class postage paid to wit:

James R. McKoon, Jr., Esq.  
McKoon & Thomas  
Post Office Box 3220  
Phenix City, Alabama 36868-3220

This 19<sup>th</sup> day of August, 2005

  
Of Counsel